UNITED STATES DISTRICT COURT	
Southern District of Ohio	
Jerome B. Williams	
BILL OF COS	STS
V. General Electric Company Case Number: 2:01-cv-681	
Cuse Humber.	
Judgment having been entered in the above entitled action on	rome Williams
the Clerk is requested to tax the following as costs:	ş
Fees of the Clerk	\$ 150.00
Fees for service of summons and subpoena	
Fees of the court reporter for all or any part of the transcript necessarily obtained for use in the case	3,936.63
Fees and disbursements for printing	5,466.38
Fees for witnesses (itemize on reverse side)	625.66
Fees for exemplification and copies of papers necessarily obtained for use in the case	160.80
Docket fees under 28 U.S.C. 1923	**************************************
Costs as shown on Mandate of Court of Appeals	Westerformer under Studios de servicio e son de la recenso e respectivo de servicio de ser
Compensation of court-appointed experts	
Compensation of interpreters and costs of special interpretation services under 28 U.S.C. 1828	
Other costs (please itemize)	Note that the second se
TOTAL	\$ 10,339.47
SPECIAL NOTE: Attach to your bill an itemization and documentation for requested costs in all categorie	s.
DECLARATION	
I declare under penalty of perjury that the foregoing costs are correct and were necessarily incurred in services for which fees have been charged were actually and necessarily performed. A copy of this bill was mere prepaid to: Russell A. Kelm, 37 W. Brozen Street, Suite 860, Columbus, OH 432151.	
Signature of Attorney: Mulls M Fusch	
Name of Attorney: Charles M. Roesch	
For: Defendant General Electric Company Name of Claiming Party Date:	September 9, 2005
	cluded in the judgment.
Ву:	
Clerk of Court Deputy Clerk	Date

WITNESS FEES (comput	EES (computation, cf. 28 U.S.C. 1821 for statutory fees)						
	ATTEN	IDANCE	SUBSIS	STENCE	MILE	EAGE	
NAME AND RESIDENCE	Days	Total Cost	Days	Total Cost	Miles	Total Cost	Total Cost Each Witness
[see attached itemization]						Mandalus des estatements de annocenholes estatements de annocenholes estatements de consecuent de consecuent d	Commence of the commence of th
					то	TAL	

NOTICE

Section 1924, Title 28, U.S. Code (effective September 1, 1948) provides:

"Sec. 1924. Verification of bill of costs."

"Before any bill of costs is taxed, the party claiming any item of cost or disbursement shall attach thereto an affidavit, made by himself or by his duly authorized attorney or agent having knowledge of the facts, that such item is correct and has been necessarily incurred in the case and that the services for which fees have been charged were actually and necessarily performed."

See also Section 1920 of Title 28, which reads in part as follows:

"A bill of costs shall be filed in the case and, upon allowance, included in the judgment or decree."

The Federal Rules of Civil Procedure contain the following provisions: Rule 54 (d)

"Except when express provision therefor is made either in a statute of the United States or in these rules, costs shall be allowed as of course to the prevailing party unless the court otherwise directs, but costs against the United States, its officers, and agencies shall be imposed only to the extent permitted by law. Costs may be taxed by the clerk on one day's notice. On motion served within 5 days thereafter, the action of the clerk may be reviewed by the court."

Rule 6(e)

"Whenever a party has the right or is required to do some act or take some proceedings within a prescribed period after the service of a notice or other paper upon him and the notice or paper is served upon him by mail, 3 days shall be added to the prescribed period."

Rule 58 (In Part)

"Entry of the judgment shall not be delayed for the taxing of costs."

UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF OHIO EASTERN DIVISION AT COLUMBUS

JEROME B. WILLIAMS : Civil Action No. 2:01CV681

.

Plaintiff, : Judge Marbley

Magistrate Judge Abel

V.

:

GENERAL ELECTRIC COMPANY, : <u>MEMORANDUM IN SUPPORT OF</u>

et al. : **DEFENDANT GENERAL**

ELECTRIC COMPANY'S BILL OF

Defendants. : COSTS

The following is an itemization of costs listed on Defendant General Electric Company's Bill of Costs.

ITEMIZATION

A. Filing Costs

B. <u>Costs Of Depositions Necessarily Used In Defendants' Motion For Summary Judgment, For Trial Preparation And For Use At Trial</u>

1.	Court reporter costs for deposition of Jerome Williams	
	on August 12, 2002\$	1,954.90

- 2. Transcript of Thomas Bilia's
 August 27, 2002 deposition\$ 550.00

C. Fees And Disbursements For Printing And Witnesses

1.

Printing Costs	Filing Date (filed prior to inception of electronic filing)	No. of Pages of Pleading	Total Number of Pages ¹	Cost Per Page	Total Cost Per Pleading
Defendants' Notice of Removal	7/18/2001	9	36	.10	3.60
Defendants' Corporate Disclosure Statement	7/18/2001	2	8	.10	.80
Defendants' Answer to Plaintiff's Complaint	7/24/2001	5	20	.10	2.00
Defendants' Answer to Plaintiff's Amended Complaint	1/10/2002	6	24	.10	2.40
Defendants' Motion for Summary Judgment and Memorandum in Support	2/7/2003	63	252	.10	25.20
Defendants' Reply Brief in Support of	3/31/2003	58	232	.10	23.20

¹ Section 1920(4) permits a party to recover costs of pleadings and motions filed with the Court. Cook v. VFS, Inc., 2000 U.S. Dist. LEXIS 15621 at *19 (S.D. Ohio Sept. 27, 2000) (citing Jordan v. Vercoe, 1992 WL 96348 (6th Cir. 1992)). The 4 copies include one copy for the Court; one attorney work copy, a copy for Defendant, and a service copy for Plaintiff.

its Motion for Summary Judgment Defendants' Motion for Judgment on the Pleadings and Memorandum in	Filing Date (filed prior to inception of electronic filing)	No. of Pages of Pleading	Total Number of Pages ¹	Cost Per Page	Total Cost Per Pleading
Support					
Support	I .	l	l	l	l
Printing Costs	Filing Date (electronic filing effective 9/1/2003)	No. of Pages of Pleading	Total Number of Pages ²	Cost Per Page	Total Cost Per Pleading
Defendants' Response in Support of Its Motion for Judgment on the Pleadings	9/29/2003	19	38	.10	3.80
Defendants' Motion in Limine to Exclude Testimony and Other Evidence At Trial	10/10/2003	32	64	.10	6.40
Defendants' Motion in Limine to Exclude at Trial Witness Testimony and Other Evidence Relative to the Power Management Division	10/10/2003	46	92	.10	9.20
Defendants' Motion in Limine to Exclude Evidence Relative to Punitive	10/10/2003	29	58	.10	5.80

² Section 1920(4) permits a party to recover costs of pleadings and motions filed with the Court. <u>Cook v. VFS, Inc.</u>, 2000 U.S. Dist. LEXIS 15621 at *19 (S.D. Ohio Sept. 27, 2000) (citing <u>Jordan v. Vercoe</u>, 1992 WL 96348 (6th Cir. 1992)). The 2 copies include one attorney work copy and a copy for Defendant.

	I	T	T		
Printing Costs	Filing Date (filed prior to inception of	No. of Pages of Pleading	Total Number of Pages ¹	Cost Per Page	Total Cost Per Pleading
	electronic filing)				
Damages Under					
Ohio Law and			}		
Liquidated			İ		
Damages Under			İ		
Federal Law					
Defendants' Exhibit	10/10/2003	6	12	.10	1.20
List					
Defendants' Motion	10/10/2003	32	64	.10	6.40
to Exclude					
Plaintiff's Damages					
Evidence at Trial					
Defendants' Motion	2/13/2004	10	20	.10	2.00
in Limine to					
Exclude at Trial					
Evidence on Front]		
Pay Damages					
Defendants'	2/13/2004	30	60	.10	6.00
Proposed Jury			ĺ		
Instructions	2/12/2001				0.0
Defendant's	2/13/2004	4	8	.10	.80
Witness List	2/12/2004			4.0	0.0
Defendant's	2/13/2004	4	8	.10	.80
Witness List		į			
[Revised]	0/00/0004			1.0	40
Defendant's	2/20/2004	2	4	.10	.40
Objection to					
Designated Portions]		
of Deposition					
Testimony of John					
Keegan	2/20/2004		10	10	1.00
Defendant's	2/20/2004	6	12	.10	1.20
Objection to					
Designated					
Testimony of					
Michael Coleman	2/20/2004	2	4	.10	.40
Defendants' Notice	2/20/2004	2	'	.10	.40
to Designate Portions of					
I .					
Deposition		<u> </u>	<u> </u>		

	· · · · · · · · · · · · · · · · · · ·			·	,
Printing Costs	Filing Date	No. of	Total	Cost	Total
	(filed prior to	Pages of	Number	Per	Cost Per
	inception of	Pleading	of Pages ¹	Page	Pleading
	electronic				
	filing)				
Testimony of John					
Keegan					
Defendants'	2/23/2004	8	16	.10	1.60
Response in					
Opposition to					
Plaintiff's Motion		1			
in Limine					
Excluding					
Defendant From					
Calling Certain					
Witnesses Live in					
Its Case-In-Chief					
Defendants'	2/23/2004	4	8	.10	.80
Objection to the					
Designated Portions					
of the Deposition					:
Testimony of Louis					
Sweatland			į		
Defendant's Pretrial	2/23/2004	15	30	.10	3.00
Memorandum in					
Opposition to					
Plaintiff's Motion					
for Order in Limine					<u> </u>
Precluding					
Defendant from					
Objecting to					
Plaintiff's Damage					
Calculations and					
from Using					
Plaintiff's Prior					
Calculations					
Defendants'	2/23/2004	29	58	.10	5.80
Proposed Pretrial					
Order					
Defendants'	2/23/2004	5	10	.10	1.00
Objection regarding					
Proposed Jury					
Instructions					
Defendant's Pretrial	2/23/2004	15	30	.10	3.00

Printing Costs	Filing Date (filed prior to inception of electronic filing)	No. of Pages of Pleading	Total Number of Pages ¹	Cost Per Page	Total Cost Per Pleading
Memorandum Revised In Opposition to Plaintiff's Motion for Order in Limine Precluding Defendant from Objecting to Plaintiff's Damage Calculations and from Using Plaintiff's Prior Calculations	·				
Defendant's Response in Opposition to Plaintiff's Motion in Limine Precluding Defendant from Calling Certain Witnesses Live in Its Case-in-Chief	2/25/2004	3	6	.10	.60
Defendant's Trial Brief Defendants' Motion in Limine to Exclude Evidence of Plaintiff's Exhibits 42 and 43 regarding Front Pay and Future Pension Benefits	2/27/2004 3/9/2004	96	192	.10	19.20
Defendant's Supplemental Exhibit List	3/9/2004	7	14	.10	1.40
Defendant's Supplemental Response	3/12/2004	13	26	.10	2.60

Printing Costs	Filing Date	No. of	Total	Cost	Total
_	(filed prior to	Pages of	Number	Per	Cost Per
	inception of	Pleading	of Pages ¹	Page	Pleading
	electronic				
	filing)				
Defendant's	3/16/2004	7	14	.10	1.40
Proposed Jury					
Instructions					
TOTAL					169.40

2. Copies of the deposition transcripts of Jerome Williams, Michael Coleman, Norris Woodruff and Thomas Bilia, which were filed with this Court on February 7, 2003 and cited in in Defendant's Motion For Summary Judgment and its Reply Brief: 1853 pages @ 10¢ x 2 copies 3\$ 370.60 3. Printing costs for exhibit boards developed for trial and used at trial 4\$ 4,885.58 Printing costs for trial exhibits produced for the 4. Court and Plaintiff for use at trial: 136 pages @ 10¢ x 3 copies 5\$ 40.80 5. Costs of witness Thomas Bilia's roundtrip airfare from Connecticut to Columbus,

Ohio to testify at trial ⁶.....\$

561.55

Section 1920(4) permits a party to recover costs of discovery materials filed with the Court. Cook v. VFS, Inc., 2000 U.S. Dist. LEXIS 15621 at *19 (S.D. Ohio Sept. 27, 2000) (citing <u>Jordan v. Vercoe</u>, 1992 WL 96348 (6th Cir. 1992)). The 2 copies include one attorney work copy and a copy for Defendant.

The "costs of photocopying are recoverable to the extent such costs were used as court exhibits or were furnished to the Court or the opposing counsel." <u>Langenderfer, Inc. v. S.E. Johnson Company</u>, 684 F.Supp. 953, 961 (N.D. Ohio 1988).

The costs of photocopying exhibits are recoverable when, as here, such exhibits are furnished to the Court or to opposing counsel for trial. <u>Langenderfer, Inc. v. S.E. Johnson Company</u>, 684 F.Supp. 953, 961 (N.D. Ohio 1988). The three copies include one attorney work copy; one copy for Plaintiff; and one copy for the Court.

The actual cost of the roundtrip airfare incurred by Defendant for Mr. Bilia was \$1,123.10. Defendant, however, seeks only to recover half of this amount pursuant to Defendant's and Plaintiff's pre-trial agreement that any costs associated with Mr. Bilia's travel to Columbus to testify at trial would be divided evenly between Plaintiff and Defendant.

6. Costs of witness Thomas Bilia's hotel room ⁷.....\$ 64.11 TOTAL FEES AND DISBURSEMENTS FOR PRINTING AND WITNESSES: \$ 6,092.04 D. Fees For Exemplification And Copies Of Papers Necessarily Obtained For Use In The Case. 1. Copies of discovery documents produced by Plaintiff to Defendant 402 pages @ 10¢ x 4 copies 8\$ 160.80 TOTAL FEES FOR COPIES OF PAPERS **NECESSARILY OBTAINED FOR USE** IN THIS CASE: \$ 160.80

Respectfully Submitted,

/s/ Charles M. Roesch
Charles M. Roesch (0013307)
DINSMORE & SHOHL LLP
1900 Chemed Center
255 E. Fifth Street
Cincinnati, OH 45202
(513) 977-8200

Attorney for Defendant, General Electric Company

The actual cost incurred by Defendant for Mr. Bilia's hotel room was \$ 128.43. Defendant, however, seeks only to recover half of this amount pursuant to Defendant's and Plaintiff's pre-trial agreement that any costs associated with Mr. Bilia's travel to Columbus to testify at trial would be divided evenly between Plaintiff and Defendant.

A prevailing party may recover as costs pursuant to § 1920(4) the expenses it incurs to copy documents produced by the opposing party during discovery. Watkins & Son Pet Supplies v. Iams Company, 197 F.Supp. 2d 1030, 1038 (S.D. Ohio 2002). The 4 copies include attorney work copies and copies for Defendants.

CERTIFICATE OF SERVICE

I certify that a true and accurate copy of the foregoing Defendant's Memorandum In Support Of Its Bill of Costs was filed electronically and served via first class United States mail upon Russell Kelm, Attorney for Plaintiff, Law offices of Russell A. Kelm, 37 W. Broad Street, Suite 860, Columbus, Ohio 43215, this 9th day of September, 2005.

, b, Charles III. Ito esch	/s/ Charles M.	Roesch	
----------------------------	----------------	--------	--

#1001592v2

DINSMORE & SHOHL LLP

ATTORNEYS AT LAW

1900 CHEMED CENTER, 255 EAST FIFTH STREET

CINCINNATI, OHIO 45202

Check Number

Check Date

69162

7/5/01

Amount

****\$150.00

PAY One hundred fifty and 00/100 Dollars

TO THE ORDER OF

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Columbus, OH 43215

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CINCINNATI, OHIO

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\$150.00

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VENDOR: Clerk, U.S. District Court; INVOICE#: 031071;

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Removal - filing fee Williams v. GE

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Page: 1

Date: 8/20/02

Invoice: 1677/41846

Terms: NET30

Charles Roesch, Esq Dinsmore & Shohl

Attn: Marlene Walker-Hanna

175 S Third St, 10th FI Columbus, OH 43215 Due Date: 9/19/02

Re: Williams V. General Electric

Video Deposition of: Jerome Williams

#25298-3

Case # C2-01-681 Date Taken: 08/12/02

Quantity	Description	Per	Extended
		\$30.00	\$240.00
8.00	Attendance of Court Reporter	\$3.75	\$798.75
213.00	Original Transcript-Expedited	\$0.30	\$35.10
117.00	Exhibit Copying Charges	\$20.00	\$20.00
1.00	Labor to Secure Witness Signature	\$4.42	\$4.42
1.00	Shipping to Secure Witness Signature	\$10.00	\$10.00
1.00	Min-U-Script Conversion	•	Ψ10.00
1.00	Materials Charge for Disk N/C	\$0.00	\$00.00
1.00	Attendance of Videographer for First Hour	\$90.00	\$90.00
14.00	Attendance of Videographer for Each Additional Half-Hour	\$50.00	\$700.00
1.00	Video Materials Used for Original	\$15.00	\$15.00
	Additional Video Materials for Original	\$10.00	\$40.00
4.00	Postage & Handling	\$25.75	\$25.75
1.00	05/JVP	\$0.00	

VND NO. 990 76 35
IND. NO. 1677/41846
INV. DT. 8/20/02
CL. AC. NO. 1310
DEPT. 25298-3
CHK NO
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Subtotal:

\$1,979.02

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Cincinnati, OH, 45202

RE: Jerome B. Williams vs. GE Co., et al.

Deposed: Thomas Bilia

Date Taken: 8/27/2002

Case No. C2-01-681

Taken By: Angie Moore

Employer I.D. No. 31-0900151

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September 4, 2002

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Attention: Charles M. Roesch, Esq.

Re: Williams v General Electric

Date of deposition: August 22, 2002

Deposition of Michael Coleman, 227 pgs @ .80/condensed

181.60

181.60

Goods and services tax @ seven percent

12.71

Total payable on receipt US funds 194.31

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Cincinnati, OH 45202

To:

RE: Jerome B. Williams vs. GE Co., et al.

Deposed: Norris Woodruff

Date Taken: 10/08/2002

: 10/08/2002 Case No. C2-01-681

Taken By: Jennifer Looney

Employer I.D. No. 31-0900151

Invoice Date:	
10/29/2002	
Invoice No.	
9,987	5,374
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	Charges
Description	Charges
Сору	557.50
Exhibits	29.12
Binding & Delivery	10.00
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To insure proper credit, please enclose a copy of this invoice with payment. Total:	596.62
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Dinsmore & Shohl LLP	
Charles M Roesch	
1900 Chemed Center	
255 East Fifth Street	
Cincinnati, Ohio 45202	

Tax ID: 31-0995591

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JOB NO.

			TM1544	TM
ITEM	DESCRIPTION	DEPONENT	SERVICED	AMOUNT
B//CA14 Shipping	Transcript Copy Shipping/Handling	Louis Sweatland	10/30/2002 10/23/2003	280.80 15.00

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Total

\$295.80

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Cincinnati, OH 45202

RE: Jerome B. Williams vs. GE Co., et al.

Deposed: John Keegan

Date Taken: 11/15/2002 Case No. C2-01-681

Taken By: Jennifer Looney

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Exp	DUE: 345.00
Signature	

DINSMORE & SHOHL LLP		
TRAVEL AND MISCELLANEOUS EXPENSI	ē S	
(do not use this form for Business Meals and Entertainment reimb	ursement)	
Name (please print): Charles M. Roesch		
Purpose of Travel: On Bilia aurfare - trial	_	
Mode of Travel: ☐ Air ☐ Personal Auto ☐ Rental A	Auto	Other
Departure/Arrival Locations and Dates:		
	OH on	3/11/04
Dpt: Stanford CT on 311/04 Arr: Columbus, Dpt: Columbus ph on 312/04 Arr: Stanford	CJ on	312/04
Dpt: on Arr:	on	
Description of Expenses (attach receipts)	Code	Amount
Air Fare	Air	046740
Rental Car	Rental=	467.45 1055 70
Hotel (exclude meals charged to room)	Hotel	
Meals (include meals charged to hotel room)	Bus	
Personal Auto (WWW_ miles @ .36¢/mile)	Local	
Travel - Other (cabs, parking, phone, etc.) (please describe)	Other	
Miscellaneous (non-travel) (seminar fees, books, software, etc.) (please describe)	Misc	
	TOTAL	1127 10
Less Cash Advanced by Firm		1.00.
Net Amount Due to (from) Employee		1/23 10
Reimbursement Type		
Credit partner's advance account Reimburse requester: Check or	ash (u	p to \$200)
Charge Client # 25298.3 Amount 1123.10 Client #	Aı	mount
~IF CLIENT CHARGE, DO NOT COMPLETE PAGE 2~ Client #	Aı	nount
Certification: In order to qualify as a reimbursable expense (recruiting not included), one of these two to the firm member must have engaged in active conduct of business during the event; the firm member must expectation of deriving income in the indefinite future and the active conduct of business must be the principal aspect of the combined business/event. In addition, substitution for the expenditures must be	st have had me neipal aspect of luct of busines	ore than a general of the event; or (2) a
CERTIFIED CORRECT (Signature) REVIEWED / APPROX		
Mades M Kalsen	0/	/
Date: 3/30/04 Date: 3/30/04/	// /	
Reviewers: Any Partner (for client or PEAR charges); Recruiting Coordinator (for RECicharge	es); Control	ler or Assistant
Controller (for assoc. client dev. charges); Department Head (for COR, LAB or LIT charges); charges); Kim Curtis or Cliff Roe (for Practice Group charges): Committee Chair (for other cor	Executive Di	irector (for FIRM
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Destination airport:
CMH
Departing date:
Mar 11 Morning
Returning date:
Mar 12 Morning

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Flights New search Hartford-Springfield (BDL) to Columbus (CMH) Thursday, Mar 11 Flight info **Dates** Misc **Fares** United Airlines 7243 Mar 11 10:26 am stops: Non-stop Class: Coach Delete depart BDL はんごう (Operated by United Fare Basis Express/Atlantic Coast) Mar 11 11:49 am arrive Code: VRA Canadair Jet **Booking Class:** Fare Rules Mar 11 12:35 pm Class: Coach United Airlines 7715 stops: Non-stop (Operated by United depart IAD Fare Basis Express/Atlantic Coast) Mar 11 1:53 pm arrive Code: VRA CMH Canadair Jet Booking Class: Fare Rules Columbus (CMH) to Hartford-Springfield (BDL) Friday, Mar 12 Misc Fares Fliaht info Dates United Airlines 843 Mar 12 5:04 pm stops: Non-stop Class: Coach Delete depart CMH Fare Basis Boeing 737-300 Mar 12 5:30 pm arrive Code: ORD (Which is MBIZN **Booking Class:** м Fare Rules United Airlines 1234 Mar 12 6:25 pm stops: Non-stop Class: Coach depart ORD Fare Basis Airbus A320 Mar 12 9:29 pm arrive Code: BDL MBIZN Booking Class:

Total Airfare (including taxes and charges): USD 467.40

Penalty: NONREF/CHANGE100PLUSFAREDIF// CXL BY FLT DATE OR NOVALUE

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charge to

CMR Amex.

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Remember my Mileage Plus number

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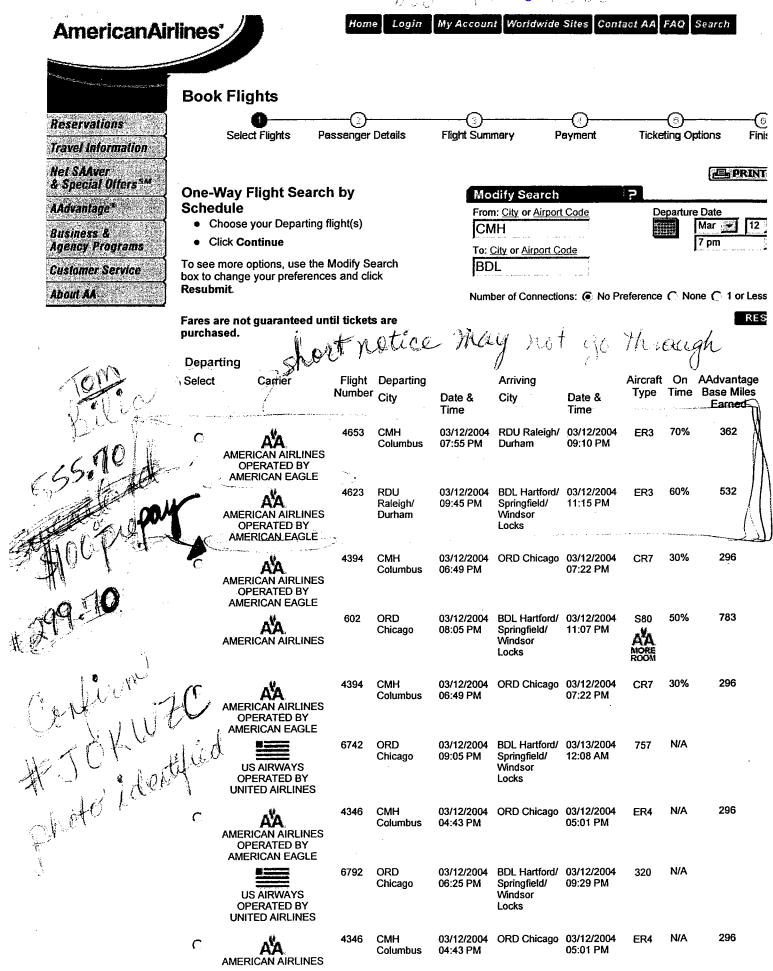
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Case: 2:01-cv-00681-ALM-MRA Doc #: 110 Filed: 09/09/05 Page: 22 of 22 PAGEID #: 1154

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Date 03/31/04

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Amount Remitted

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1 Receipt

Please Return This Portion With Your Remittance

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33/10 418552 HOUSE MISC. RM. | 128.43 | | 128.43 |

1257.90

DUE UPON RECEIPT. THERE IS A 2% LATE PENALTY ON AMOUNTS NOT PAID IN FULL AND RECEIVED BY 5:00 P.M. ON THE LAST DAY OF THE MONTH.

PAYMENTS OR GIFTS TO THE CLUB ARE NOT TAX DEDUCTIBLE FOR CHARITABLE PURPOSES **Unused Minimum** Current 30 Days 60 Days 90 Days Amount Due ⇒

Member No. Member Name

THE ATHLETIC CLUB OF COLUMBUS COMPANY 136 EAST BROAD STREET COLUMBUS, OHIO 43215-3648

PHONE (614) 221-3344 • FAX (614) 358-0069